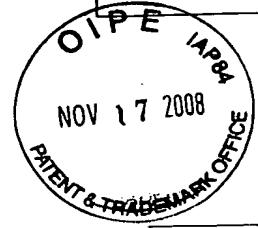


I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: November 12, 2008 Signature: 
(William A. Di Bianca)



Docket No.: SPINE 3.0-437 CPCPCPCPCPCPCP I CON II
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of :
Errico et al. :

Application No.: 10/663,487 : Group Art Unit: 3738

Filed: September 16, 2003 : Examiner: B. E.
Pellegrino

For: INTERVERTEBRAL SPACER DEVICE :
HAVING SIMULTANEOUSLY ENGAGEABLE :
ANGLED PERIMETERS FOR :
MANIPULATION USING A SURGICAL
TOOLS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL AMENDMENT

Dear Sir:

In response to the Official Action mailed May 29, 2008 and supplemental to the Amendment filed on October 29, 2008, Applicants submit the following supplemental amendments and remarks.